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Responsibility of States for internationally wrongful acts

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Comments and information received from Governments

Report of the Secretary-General

Addendum

I. Introduction

As at 25 September 2010, the Secretary-General had also received written comments from El Salvador (dated 20 July 2010).

II. Comments on any future action regarding the articles on responsibility of States for internationally wrongful acts

El Salvador

1. The articles on the Responsibility of States for internationally wrongful acts take as their basis many customary rules that have long been used in international law and are contained in a number of international instruments. The articles seek to formulate, through codification and progressive development, rules relating to the responsibility of States for any internationally wrongful acts they commit.

2. In line with the foregoing, El Salvador, as a subject of international law and bound, therefore, by its standards, supports the articles and considers it necessary to take concrete steps towards the codification of such an important topic. It would therefore support the establishment of a working group of the Sixth Committee to address outstanding issues and to resolve existing doubts, with a view to holding a conference of plenipotentiaries aimed at achieving a convention on State responsibility.

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3. In addition, the Republic of El Salvador believes that it would be beneficial to take up again the issue of a dispute settlement mechanism, which, although previously ruled out, has continued to be a source of concern for many States as it is considered a determining factor in effective dispute settlement. The Republic of El Salvador would therefore welcome the option of including general measures as principles for the settlement of disputes arising in relation to State responsibility, in accordance with the obligations set out in Articles 2 and 33 of the Charter of the United Nations.